

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 11-7909 CAS (PJWx)	Date	October 28, 2011
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Title	ASENCION RODRIGUEZ v. JP MORGAN CHASE BANK, ET AL.
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Present: The Honorable	CHRISTINA A. SNYDER, U.S. DISTRICT JUDGE
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RITA SANCHEZ	N/A	N/A
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Deputy Clerk	Court Reporter / Recorder	Tape No.
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Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:	
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N/A	N/A	N/A
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Proceedings: **(In Chambers:) ORDER TO SHOW CAUSE FOR FAILURE TO OBTAIN APPROVAL FOR REMOVAL FROM ALL DEFENDANTS**

I. INTRODUCTION

On August 18, 2011, plaintiff Asencion Rodriguez filed the instant action in Los Angeles County Superior Court against JPMorgan Chase Bank ("Chase"), Bank of America National Association, as successor by merger to LaSalle Bank National Association Trustee for WAMU 2006-AR9 ("BOA"), and DOES 1–100. Plaintiff alleges violations of Cal. Bus. & prof. Code § 17200, et seq. and Cal. Civ. Code § 2932.5 and seeks cancellation of deed.

On September 23, 2011, Chase removed the instant action based on diversity.

II. DISCUSSION

28 U.S.C. § 1446(b) requires notice of removal to be filed within thirty days (30) of receipt, by the defendant, of the initial pleading setting forth the claim for relief. All defendants must join in the removal within 30 days after the first defendant is served. Teitelbaum v. Soloski, 843 F. Supp. 614, 615 (C.D. Cal. 1994).

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Chase's removal appears to be improper because BOA has not joined in the removal. See Teitelbaum, 743 F. Supp. at 615. Chase was served with notice on August 24, 2011. Removal ¶ 12. At that time, Chase was unaware whether BOA was properly served. Id. Accordingly, defendants are hereby ORDERED to SHOW CAUSE within **twenty (20) days**, why the instant action should not be remanded for failure to join all defendants in removal.

IT IS SO ORDERED.

Initials of
Preparer

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